

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

MAX WRIGHT

PLAINTIFF

v.

Civil No. 1:16-cv-01058

SERGEANT BEN OPELT, Camden
Police Department; LIEUTENANT
GILBERT, Camden Police Department;
And OFFICER PLYLER, Camden
Police Department

DEFENDANTS

ORDER

Plaintiff Max Wright originally filed his complaint *pro se* on April 20, 2016 in the Eastern District of Arkansas. ECF No. 2. On June 22, 2016 the case was transferred to the Western District of Arkansas. ECF No. 6. Before the Court is a Motion to Dismiss separate Defendant John Doe (K-9 Dog). ECF No. 14.

On July 5, 2016 I entered an Order directing service of Plaintiff's Complaint on Defendants Ben Opelt, Lieutenant Gilbert, and Officer Plyler. ECF No. 2. In the Order I noted although Plaintiff had named "John Doe (K-9 dog)" as an additional defendant, a dog is not a proper defendant subject to service. Therefore, John Doe (K-9 Dog) is not a defendant before this Court.

The Clerk is **DIRECTED** to terminate Dr. John Doe, K-9 Dog as a defendant in this matter. Accordingly, Defendants' Motion to Dismiss (ECF No. 14) is **DENIED** as moot.

IT IS SO ORDERED this 2nd day of August 2016.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
UNITED STATES MAGISTRATE JUDGE